



## EUROPEAN UNION

### OSCE Permanent Council Nr 1028 Vienna, 27 November 2014

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#### **EU Statement on the Violation of OSCE Principles and Commitments by the Russian Federation and the Situation in Ukraine**

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The Ministerial Council in Basel in one week will inevitably be dominated by the crisis in and around Ukraine and the actions by Russia in clear violation of OSCE principles and commitments. With this in mind, we will limit ourselves to a few points on this topic today.

We continue to be alarmed by the many reports of ceasefire violations, heavy shelling and military build-up in parts of eastern Ukraine. The armed pro-Russian separatists continue to destabilise the situation, try to gain strategic advantages and consolidate control as reported by the Special Monitoring Mission.

We reiterate our support for the Minsk Protocol and Memorandum, as a step towards a sustainable political solution based on respect for Ukraine's independence, sovereignty and territorial integrity. We urge all parties to fully implement the Minsk agreements without further delay. We once again underline the Russian Federation's responsibility in this context. We call in particular for a halt to the continuous violations of the ceasefire, a withdrawal of illegal and foreign forces, mercenaries and military equipment, as well as for securing the Ukrainian-Russian state border with permanent monitoring by the OSCE. Full and effective control by Ukraine of its borders is essential and we call on Russia to respect it.

Mr Chairman, in its seventh report, the UN Human Rights Monitoring Mission paints a very bleak picture of the human rights situation in the areas controlled by the armed pro-Russian separatists. There are many cases of serious human rights abuses by separatists, including torture, arbitrary and incommunicado detention, summary executions, forced labour, sexual violence, as well as destruction and illegal seizure

of property. According to the report these violations are of a systematic nature and may amount to crimes against humanity.

Reports by the SMM likewise describe serious human rights violations. For instance we note that several armed entities independently arrest and detain people in a variety of facilities, including basements. We also note from these reports cases of persons, including women and children, being arbitrarily detained and physically abused while others go missing.

According to the UN Human Rights Monitoring Mission the situation in Crimea is marked by increasing human rights violations and protection challenges. This is especially the case for minority and indigenous groups and those in a position of vulnerability. The growing number of enforced disappearances of Crimean Tatars constitutes one example. We note that several of these observations are similar to those highlighted by the High Commissioner on National Minorities.

Mr Chairman, we reiterate our support for the Trilateral Contact Group. We also reiterate the important role of the SMM. We remind all parties concerned of their responsibility for a safe environment for the SMM monitors and equipment, including UAVs, and for free and unrestricted access, including to all parts of Donetsk and Luhansk in accordance with the SMM mandate. In this context, we express our deep concern about the incident yesterday near the city of Shumy where a SMM vehicle was shot at by armed separatists. We note with concern that the UAVs have now been severely limited in their operations for weeks as a result of electronic jamming of communications which has hampered the ability to monitor the ongoing fighting. We also note reports that Russia does not accept the role of the SMM in monitoring the border in accordance with the Minsk Protocol. For instance the head of the Russian contingent at the Joint Centre for Control and Coordination reportedly insists that there is a 16 km no-fly-zone along the border. This must be corrected without delay. We also express concern that the JCCC is working on terms of reference that include involvement of the SMM and joint patrolling without the SMM being consulted. We stress the importance we attach to the independence and impartiality

of the SMM and the right of the Chief Monitor to organise its work in accordance with its mandate.

Mr Chairman, the EU recalls its unwavering support to the sovereignty, territorial integrity, unity and independence of Ukraine, and calls upon Russia to do likewise. We urge Russia to recognise these fundamental principles that it has itself invoked many times and to contribute, by acts and public pronouncements, to stabilise the situation and reverse moves that contravene these principles. We reiterate our strong condemnation of the illegal annexation of Crimea and Sevastopol to the Russian Federation and we will not recognise it.

The Candidate Countries the FORMER YUGOSLAV REPUBLIC OF MACEDONIA\*, MONTENEGRO\*, ICELAND+ and ALBANIA\*, the Country of the Stabilisation and Association Process and Potential Candidate BOSNIA and HERZEGOVINA, and the EFTA countries LIECHTENSTEIN and NORWAY, members of the European Economic Area, as well as UKRAINE, the REPUBLIC OF MOLDOVA, GEORGIA and SAN MARINO align themselves with this statement.

\* The Former Yugoslav Republic of Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.

+ Iceland continues to be a member of the EFTA and of the European Economic Area.